

In The United States Patent and Trademark Office

In Application of : Philip E. Eggers, *et al.*
Serial No. : 10/630,336
Filed: : July 30, 2003
For: : Electrosurgical method and apparatus with dense tissue
recovery capability.
TC/AU : 3736
Examiner :
Attorney Docket No. : NET 2-097

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INFORMATION DISCLOSURE STATEMENT

Sir:

This Information Disclosure Statement is filed in conformity with 37 C.F.R. §§ 1.56, 1.97 and 1.98. Accordingly, copies of the art cited herein are provided:

Patents:

- 1 U.S. Patent No. 6,471,659 B2 by Eggers, *et al.*, entitled "Minimally Invasive Intact recovery of Tissue," issued October 29, 2002.
- 2 U. S. Patent No. 6,277,083 B1 by Eggers, *et al.*, entitled "Minimally Invasive Intact Recovery Of Tissue," issued August 21, 2001.

Publications:

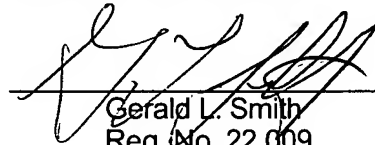
- (1) Parker, Steve H. "The Advanced Breast Biopsy Instrumentation: Another Trojan Horse?" *Am. J. Radiology* 171: 51-53 (1998).
- (2) D'Angelo, Philip C., *et al.* "Stereotactic Excisional Breast Biopsies Utilizing the Advanced Breast Biopsy Instrumentation System." *Am J Surg.* 174: 297-302 (1997).
- (3) Ferzli, George S., *et al.* "Advanced Breast Biopsy Instrumentation: A Critique." *J Am Coll Surg*; 185: 145-151 (1997).
- (4) Rosen, Paul Peter. Rosen's Breast Pathology. Philadelphia: Lippincott-Raven Publishers, 837-858 (1997).

- (5) Parker, Steve H, "Needle Selection and Stereotactic Large-Core Breast Biopsy", Percutaneous Breast Biopsy Eds. Parker, *et al*, Raven Press, New York, pp 7-14 and 61-79 (1993).
- (6) Parker, Steve H, "Stereotactic Large-Core Breast Biopsy." *Percutaneous Breast Biopsy* Eds. Parker, *et al.*, Raven Press, New York, pp. 61-79 (1993).

It respectfully is submitted that none of the foregoing art, alone or in combination, shows or proposes the present invention. Accordingly, favorable action on the application respectfully is requested.

Respectfully submitted,

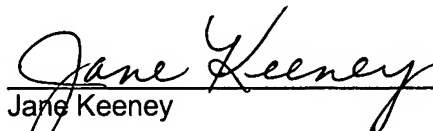
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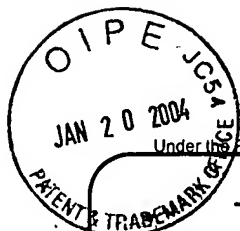

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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited on January 15, 2004 with the United States Postal Service as first class mail in an envelope addressed to:

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Jane Keeney



PTO/SB/21 (08-03)

Approved for use through 08/30/2003. OMB 0651-0031

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**TRANSMITTAL
FORM**

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Application Number

10/630,336

Filing Date

July 30, 2003

First Named Inventor

Philip E. Eggers

Art Unit

3736

Examiner Name

Attorney Docket Number

NET 2-097

ENCLOSURES (Check all that apply)

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Remarks

Forms 1449 and cited patents and publications

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENTFirm or Individual name
Gerald L. Smith
Mueller and Smith, LPA

Signature

Date

January 15, 2004

CERTIFICATE OF TRANSMISSION/MAILING

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INFORMATION DISCLOSURE
STATEMENT BY APPLICANT

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Complete if Known

Sheet	1	of	2	Application Number	10/630,336
				Filing Date	July 30, 2003
				First Named Inventor	Philip E. Eggers, et al.
				Group Art Unit	3736
				Examiner Name	
				Attorney Docket Number	NET 2-097

U.S. PATENT DOCUMENTS

EXAMINER INITIALS*	CITE NO. ¹	U.S. PATENT DOCUMENT		Name of Patentee Of Cited Document	Date of Pub. Of Cited Document MM-DD-YYYY	Pages Where Relevant Passages Appear
		Number	Kind Code ² (if known)			
		6,471,659		Eggers, et al.	10-29-2002	
		6,277,083		Eggers, et al.	08-21-2001	

FOREIGN PATENT DOCUMENTS

Examiner Initials	Cite No. ¹	Foreign Patent Document			Name of Patentee Cited Document	Date of Pub. Of Cited Doc MM-DD-YYY	Pages where relevant passages appear	T ⁶
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¹Unique citation designation number. ² See attached Kinds of U.S. Patent Documents ³ Enter Office that issued the document, by the two letter code (WIPO Standard ST.3) ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent documents. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English translation is attached.



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STATEMENT BY APPLICANT

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Complete if Known

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Filing Date	July 30, 2003
First Named Inventor	Philip E. Eggers
Group Art Unit	3736
Examiner Name	
Attorney Docket Number	NET 2-097

OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS

EXAMINER INITIALS *	CITE NO. 1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the Item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), Publisher, city and/or country where published	T ²
	1	PARKER, STEVE H. "The Advanced Breast Biopsy Instrumentation: Another Trojan Horse?" <i>Am. J. Radiology</i> 171: 61-53 (1998).	
	2	D'ANGELO, PHILIP C., <i>et al.</i> "Stereotactic Excisional Breast Biopsies Utilizing the Advanced Breast Biopsy Instrumentation System" <i>Am J Surg.</i> 174: 297-302 (1997).	
	3	FERZLI, GEORGE S., <i>et al.</i> "Advanced Breast Biopsy Instrumentation: A Critique", <i>J Am Coll Surg.</i> 185: 145-151 (1997).	
	4	ROSEN, PAUL PETER, <i>Rosen's Breast Pathology</i> , Philadelphia: Lippincott-Raven Publishers, pp. 837-858 (1997).	
	5	PARKER, STEVE H., "Needle,) <i>Percutaneous Breast Biopsy</i> Eds. Parker, <i>et al</i> , Raven Press, new York, pp 7-14 (1993	
	6	PARKER, STEVE H. "Stereotactic Large-Core Breast Biopsy," <i>Percutaneous Breast Biopsy</i> Eds. Parker, <i>et al</i> , Raven Press, new York, pp. 61-79 (1993.	

Examiner Signature		Date Considered	
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